

TOWN BOARD MEETING

APRIL 01, 2006

Supervisor Pagones opened the Regular Town Board meeting at 9:30 am, Town Hall, 807 Route 52, Fishkill, New York and led the audience with the "Pledge of Allegiance".

Present: Supervisor Joan A. Pagones; Town Board members, Steve Ferguson, Ronald Leenig, Heather Malvarosa, Dennis Zack; Town Attorney, Rebecca Valk; Dr. Lavigne, Mickey, Rich Rennia – Morris Associates, John Hickman – Supervisor East Fishkill, Joe Dennis – Morris associates; Pamela Garnot – Supervisor's Assistant; Paul Gromkowski – Housing Director; John Darcy – Assistant Housing Director; Robert Wheeling – Comptroller; Bill Ratigan – Bldg./Parks Superintendent; Joel Petrus – Bldg. Department; Susan McGuire – Personnel Director; Paula Sarvis – Assessor; and Town Clerk, Darlene Bellis

PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS

None

ANNOUNCEMENTS

Town court verdict

Supervisor Pagones read (**copy attached to original minutes**) a letter from Kyle Barnett, Van DeWater, informing the Town that a jury has returned a guilty verdict to 13 counts of violating the Town Code in the matter of the People v. Lucas.

APPROVAL OF MINUTES

Supervisor Pagones informed the Board that the minutes of December 21, 2005 Regular Town Board meeting, January 05, 2006 Reorganization meeting, January 18, 2006 Regular meeting, January 25, 2006 Special Town Board meeting, February 01, 2006 Regular Town Board meeting, and February 15, 2006 Regular Town Board meeting were distributed for their review and she would entertain a motion to approve said minutes.

Motion made by Councilman Ferguson **to approve the above references minutes as submitted.** **Seconded** by Councilman Leenig
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

PRESENTATION(s)

Artificial Wetlands System

Supervisor Pagones gave a brief history on the Fishkill / East Fishkill Landfill.

Dr. Lavigne made his presentation to the board regarding the Artificial Wetlands System which the Fishkill / East Fishkill Landfill Board has been approved to go ahead with.

Dr. Lavigne introduced himself and gave a brief outline of his life which brought him before this board today.

He was an elementary and high school teacher, in the 70's he went to the University of Massachusetts for his PhD; he has graduate degrees in environmental engineering, public health, and environmental science.

Spent 35 years of his life playing in the dumps, spends a lot of his time all over the world building artificial wetlands, he is currently in Ecuador doing an artificial wetland system.

Dr. Lavigne presented pictures of the solid waste in the landfill, and stated that we are a consumptive society and gave examples of the tons of solid waste per year that is disregarded. When landfills were first constructed the leachate factor did not come into play to the extent it is present day. Early in the 1970's he and others did a lot of thinking about the leachate and decided to take action for the treatment of the landfill leachate. He designed a model for the treatment of landfill leachate using a submerged bed system and reed canary grass. He had built a facility in Highland, New York. Dr. Lavigne presented pictures of what the Town of Fishkill will be looking and will have if approved.

Supervisor Pagones suggested that Joe Dennis get in contact with John Hickman to have a presentation for the East Fishkill Town Board and stated she would like to have this presentation at one of the Supervisor's and Mayors Association meeting.

DISCUSSION(s)

Rombout Village Lighting District

Motion made by Councilman Zack to authorize the Town Engineer, John Andrews, to prepare the map, plan and report for the formation of the Rombout Village Lighting District. Seconded by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

MOTION(s) TO APPROVE/ADOPT

Approval to go out to bid for Town Hall Entrances

Supervisor Pagones read (**copy attached to original minutes**) a letter from Town Engineer, John Andrews, outlining the dates for the entrance improvements bid process.

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Motion made by Councilman Ferguson **to authorize the Town Engineer to go out to bid for the Fishkill Town Hall entrance improvements as requested. Seconded** by Councilwoman Malvarosa
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

Tougher Service - HVAC - AMI Services, Inc.

Supervisor Pagones read (**copy attached to original minutes**) a memo from Building and Parks Superintendent in regards to Tougher Services, Inc. and their performance.

Supervisor Pagones read (**copy attached to original minutes**) a resolution approving and authorizing the supervisor to take all steps necessary to terminate the existing contract with Tougher Services.

Motion made by Councilman Zack **to approve and authorize the Supervisor to take all steps necessary to terminate the existing contract with Tougher Services, for just cause, bases on the shortfalls of Tougher Services. Seconded** by Councilwoman Malvarosa

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

Will not go forth with the other provider (AMI Services Inc.) – 1st meeting in May

Variance for Noise Ordinance (Chapter 108)

Supervisor Pagones read (**copy attached to original minutes**) a letter from David Burke, General Manager for the Hudson Valley Renegades, requesting permission to have fireworks display following eight baseball games. She then read a memo from Jeff Marino, Fire Inspector, stating their application was accepted for a variance to Chapter 108 (Noise).

Motion made by Councilman Zack to approve the request for a variance to the noise ordinance for permission to have fireworks display on 6/20, 7/04, 7/14, 7/21, 7/28, 8/04, 8/05, and 9/02/2006 following the Hudson Valley Renegades baseball games. **Seconded** by Councilman Leenig

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

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2006 Surplus Vehicles

Supervisor Pagones read (**copy attached to original minutes**) a request from Glenn R. Scofield, Highway Superintendent, to surplus highway trucks.

Motion made by Councilman Ferguson to approve the request to surplus highway trucks as listed in Glenn R. Scofield's memo dated 03/22/2006. **Seconded** by

Councilman Leenig

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Procedure for Town of Fishkill clean-up Days

Councilman Ferguson read (**copy attached to original minutes**) the Annual Procedure for Town of Fishkill Clean-Up Days and made a **Motion to approve said procedure. Seconded** by Councilman Leenig

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Liquor License renewal - Citgo Mart

Liquor License application - Sanatcroce C. S. Inc.

Supervisor Pagones read (**copies attached to original minutes**) the liquor license renewal and liquor license application requests from Citgo Mart and Sanatcroce C. S. Inc. and the comment from Police Chief, Donald Williams, okaying said requests.

Motion made by Councilman Zack to accept/approve the liquor license renewal and liquor license application requests as submitted.

Seconded by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

MOTION(s) TO APPOINT

Board of Assessment Review member
Motion made by Councilman Leenig **to appoint Marie Price as the new Board of Assessment Review member effective immediately.**
Seconded by Councilwoman Malvarosa
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

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BUDGET TRANSFERS
Motion made by Councilwoman Malvarosa **to approve the budget transfers as submitted as follows:**

Highway with	\$ 2,943.50	to record insurance check and pay for repair revenue
Recreation	\$ 750	to cover cost of In-school Recreation activity instructors
Recreation movies on	\$ 528	to cover the All Day Camp’s trip to the August 02, 2006

(copies attached to original minutes)
Seconded by Councilman Zack
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

Rebecca Valk
Supervisor Pagones read **(copy attached to original minutes)** the short Environmental Assessment Form received from Rebecca Valk in regards to the Girl Scouts property.

Motion made by Councilman Zack **to approve the short EAF as submitted.** **Seconded** by Councilman Ferguson

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

Supervisor Pagones read (**copy attached to original minutes**) the Negative Declaration Notice of Determination of Non-Significance for the purchase of a 16.80 +/- acre parcel located on the west side of Old Castle Point Road at 9 Old Castle Point Road.

Motion made by Councilman Zack **to adopt the negative declaration for the purchase of a parcel at 9 Old Castle Point Road as submitted.**

Seconded by Councilman Ferguson

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

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Supervisor Pagones read (**copy attached to original minutes**) the resolution that rescinds the March 15, 2006 and February 15, 2006 resolutions and approves the purchase of the Girl Scout property with a 30 day permissive referendum.

Motion made by Councilman Zack **to approve and authorize the Supervisor to execute a proposed agreement subject to a permissive referendum at a purchase price of \$420,000 at closing.** **Seconded** by Councilwoman Malvarosa

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

NEW and OLD BUSINESS

Councilwoman Malvarosa

Everything is the same

The Dog show Off will be held on May 21st, here at town hall. She did a presentation to Supervisor's and Mayor's meeting in regards to the Town of Fishkill being one of the first pilot programs which appointed the City of Beacon, Town of Fishkill, and Town of Wappinger. The presentation was done along with DCART. The Town of Fishkill Animal Disaster Committee was able to draw up an annex and was approved in October 2005 by the Town Board and now is a part of the disaster plan for the Town of Fishkill. The committee will reach out on our second phase to have citizens take part of the plan and the third phase will be a public education.

Councilman Zack

He is reviewing the police procedure and attended a seminar regarding sexual offenders. He asked to look into a possibility of a link to our town website on sexual offenders (predators).

Supervisor Pagones

Stated there was a very successful forum on voting machines. She stated she is very happy to hear that we now have a state budget, and the town has been notified that we are going to get 20% more on state revenue sharing. The Town is very happy that the Poughkeepsie Journal had a wonderful editorial confirming the Town's progress on what the Town is doing on the Texaco Research property. It is nice to that there are people watching and approve of the activity of this Town Board. The Town is going to host a meeting on April 05th and among the individuals that will be present will be two from the State of New York (the health department) and NYSDEC, and Rich Robbins from the County Health department.

Supervisor Pagones congratulated Marie Price on her appointment to BAR

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Councilman Ferguson

He announced that on May 06th and September 23rd there will be clean – up days.

He also announced that the air conditioning in server room is being installed, the high speed internet installation will be complete within the next two weeks, and as soon as the air conditioning is installed we can start putting the new equipment in there.

Councilman Leenig

He stated he continues to meet with the Historical Society to discuss what their needs are. The next meeting will be on April 08th and he will have a draft of some of their needs and will look into some grants.

ADJOURNMENT

Motion made by Councilman Zack **to adjourn the meeting.** **Seconded** by Councilwoman Malvarosa
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

Meeting adjourned at 10:30 am

Respectfully submitted,

Darlene Bellis
Town Clerk